

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

| | | |
|-------------------------------|---|-----------------------|
| UNITED STATES OF AMERICA, | * | |
| Plaintiff, | * | |
| | * | |
| v. | * | CIVIL NO. WMN-02-3876 |
| | * | |
| \$78,553.00 U.S. CURRENCY | * | |
| and | * | |
| \$106,206.06 U.S. CURRENCY IN | * | |
| TWO BANK ACCOUNTS, | * | |
| Defendants. | * | |

* * * * *

MOTION FOR FINAL ORDER OF FORFEITURE

The United States of America, by and through undersigned counsel, hereby moves for entry of an order of forfeiture, and in support of such motion states the following:

1. The Verified Complaint for Forfeiture of the defendant property, which, the government submits, sets forth probable cause for the forfeiture of the defendant property, was filed on or about November 27, 2002.

2. As the Verified Complaint sets forth, the property was seized from Jose Luis Farah and Borden International, Inc. On or about March 18, 2003, Jose Luis Farah, President of Borden International, Inc, and the government agreed to disposition of the defendant property. A copy of the settlement agreement is annexed hereto as Exhibit A. According to the agreement, the government agrees to release \$92,379.53 of the defendant property to the claimant, by check made payable to Robert N. Pelier, Esquire.

4. The claimant agrees to forfeit his interest in the remaining defendant property to the government.

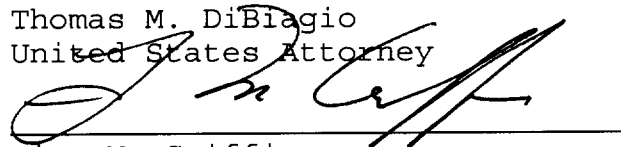
5. On or about January 23, 2003, notice of the pendency of this case was published in The Miami Herald, a newspaper of general circulation in Miami, Florida, pursuant to Rule C of the Supplemental Rules For Certain Admiralty and Maritime Claims. A copy of the advertising certification, is attached hereto as Exhibit B.

6. No other claimant has come forward within the time allotted by law for the filing of claims, which is within thirty (30) days of the date of publication. 18 U.S.C. section 983 (a) (4) (A).

WHEREFORE, the United States of America respectfully requests that the Court enter judgment for the United States of America under the terms and conditions of the draft order submitted herewith for the convenience of the Court.

Respectfully submitted,

Thomas M. DiBiagio
United States Attorney




Lisa M. Griffin
Assistant United States Attorney
6625 United States Courthouse
101 West Lombard Street
Baltimore, Maryland 21201-2692
Telephone (410) 209-4800

3-26-03
Date

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 26th 2003, a copy of the foregoing Motion for Final Order of Forfeiture was mailed first class, postage prepaid to Robert N. Pelier, Esquire, 1431 Ponce De Leon Boulevard, Coral Gables, Florida 33134.

A handwritten signature in black ink, appearing to read 'Lisa M. Griffin', is written over a horizontal line.

Lisa M. Griffin
Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA,
Plaintiff,

v.

CIVIL NO. WMN-02-3876

\$78,553.00 U.S. CURRENCY
and
\$106,206.06 U.S. CURRENCY IN
TWO BANK ACCOUNTS,
Defendants.

* * * * *

FINAL ORDER OF FORFEITURE

IT IS ORDERED, ADJUDGED, AND DECREED on this ____ day of
March, 2003 that:

1. The United States of America has provided
constructive notice by publication of the pendency of this
forfeiture action;

2. The time for the filing of any claim to contest this
forfeiture has expired, and the claimant and the government have
agreed to disposition;

3. The United States of America has shown that there
was reasonable cause for the seizure of the defendant property
under 28 U.S.C. section 2465;

4. \$92,379.53 of the defendant property shall be
released to the claimant, in accordance with the Settlement
Agreement attached to the government's motion. The remaining
defendant property is condemned and all rights, title, and interest
of Jose Luis Farah, Borden International, Inc., and any and all
other persons is **HEREBY FORFEITED** to the United States of America.

5. The United States Bureau of Immigration and Customs
Enforcement shall dispose of the defendant property in accordance

with law and in accordance with the agreement annexed to the government's motion.

6. The clerk of the court shall provide copies of this order to counsel of record.

William M. Nickerson
United States District Judge